

**AMENDMENT UNDER 37 C.F.R. § 1.116 AND
STATEMENT OF SUBSTANCE OF INTERVIEW
Attorney Docket No.: Q54622
U.S. Application No.: 09/323,135**

REMARKS

Pending Claims

Claims 1-25 are all the claims pending in the application. By this Amendment, Applicant amends 1, 3, 9, 15, 17, 18, and 19 and cancels claim 24. No new matter is added.

Statement of the Substance of Interview

The following remarks summarize the telephonic interview conducted on August 22, 2007. Applicant thanks the Examiner for the courteous telephonic interview conducted on August 22, 2007. The telephonic interview was conducted on August 22, 2007 between Examiner Michael Moore of the U.S. Patent and Trademark Office and Applicant's representative, Anand B. Ramakrishnan (overseen by Nataliya Dvorson).

Applicant maintained the position that claim 1 was patentable over Dunn as recited in the previous amendment, however, an agreement could not be reached. The Examiner further indicated that claims 23 and 24 overcome the rejection of record.

Applicant does not acquiesce to the Examiner's reasons for maintained rejections. However, to expedite the prosecution of the above-identified application, Applicant amends the independent claims to include the features of claim 24. The Examiner indicated that this Amendment will be entered without requiring a Request for Continued Examination since claim 24 was previously considered by the Examiner.

It is respectfully submitted that the instant STATEMENT OF SUBSTANCE OF INTERVIEW complies with the requirements of 37 C.F.R. §§1.2 and 1.133 and MPEP §713.04.

Claim Rejections - 35 U.S.C. § 112

Claims 17-21 are rejected under 35 U.S.C. § 112, first paragraph because the Examiner alleges that there is no adequate support for "computer readable medium storing instructions" (Office Action, page 2). Applicant respectfully disagrees.

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Applicant respectfully submits that an exemplary, non-limiting embodiment of the present invention discloses various transmission protocols (*see* page 4, lines 28 to 37 of the specification). The exemplary embodiment further discloses that accessing a signaling channel and producing a signaling configuration (*see* page 5, line 32 to page 6, line 33). Clearly then, an exemplary embodiment discloses instructions for accessing and producing a signaling configuration. An exemplary embodiment of the present invention, further discloses an interpreter module 14, which is capable of running a program in Fig 2 (*see* page 5, lines 1 to 18). Instructions (such as accessing and producing signaling configuration) must be stored on some form of a computer readable medium in order for the instructions to be implemented by the interpreter module 14 and other elements in the exemplary embodiment. That is, if the instructions are not stored on some form of a computer readable medium *e.g.*, cache, RAM, etc., the interpreter 14 and other elements would not be able to execute these instructions. In short, Applicant respectfully submits that one of ordinary skill in the art in light of the specification would readily understand that the instructions are stored on a computer readable medium.

Therefore, the Examiner is respectfully requested to remove the rejection of claim 17-21 under 35 U.S.C. § 112, first paragraph.

Claim Rejections - 35 U.S.C. § 102

Claims 1-25 are rejected under 35 U.S.C. § 102(e) as being anticipated by Dunn et al. (US 6,324,280; hereinafter “Dunn”). Applicant respectfully traverses these grounds of rejection at least in view of the following exemplary comments.

Claim 1 recites that “the receive flag is an internal flag of the switch and is not transmitted with the signaling message from the switch.” The Examiner agreed that claim 1, as now amended, overcomes the rejection of record. That is, Dunn does not disclose or suggest a receive flag that is an internal flag of the switch and is not transmitted with the signaling message from the switch.

Therefore, claim 1 is patentable over the prior art of record. Claims 2, 7, 8, 11-13, 22, 23, and 25 depend from claim 1 and are patentable at least by virtue of their dependency.

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Independent claims 3, 9, 15, 17, 18, and 19 recite analogous limitations as claim 1 and are patentable at least for at least analogous exemplary reasons. Claims 20 and 21 depend from these claims and are patentable at least because of their dependency.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned attorney at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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